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General Motors Holdings LLC and
General Motors Company*

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JAMES MILSTEAD, et al.,

Plaintiffs,

v.

GENERAL MOTORS LLC, et al,

Defendants.

Case No. 4:21-cv-06338-JST

**ORDER APPROVING
JOINT STIPULATION EXTENDING
DEFENDANTS' TIME TO ANSWER THIRD
AMENDED COMPLAINT AND SETTING
OTHER INITIAL CASE MANAGEMENT
DEADLINES**

The Hon. Jon S. Tigar

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Pursuant to Civil Local Rule 6-1(a), Defendants General Motors Holdings LLC, and General Motors Company (“Defendants”) and Plaintiffs James Milstead, et al. (“Plaintiffs”) (Plaintiffs and Defendants are referred to collectively as the “Parties”), by and through their respective undersigned counsel of record, hereby stipulate as follows:

WHEREAS, the Court granted Defendants’ motion to stay all discovery, including Rule 26(a)(1)(A) initial disclosures, “until the pleadings are settled or upon further order of the Court.” ECF 165;

WHEREAS, the Court granted Defendants’ motions to dismiss Plaintiffs’ First Amended Complaint and Second Amended Complaint with leave to amend, ECF 177, 196;

WHEREAS, Plaintiffs filed a Third Amended Complaint on July 27, 2023, ECF 197;

WHEREAS, Defendants moved to dismiss the Third Amended Complaint on August 24, 2023, ECF 201;

WHEREAS, the Court denied Defendants’ Motion to Dismiss the Third Amended Complaint on November 3, 2023, ECF 208;

WHEREAS, pursuant to Federal Rule of Civil Procedure 12(a)(4)(A), Defendants deadline to file their responsive pleading to the Third Amended Complaint is currently November 17, 2023;

WHEREAS, Plaintiffs Third Amended Complaint is 80-pages long and contains 265 paragraphs of allegations, ECF 197;

WHEREAS, Defendants requested, and Plaintiffs consented to, an additional four weeks, until December 14, 2023, for Defendants to file their answer to the Third Amended Complaint;

WHEREAS, the requested time modification of Defendants’ deadline to file their answer will not adversely impact the case schedule;

WHEREAS, the Parties have further agreed to set a conference the week of December 4 – 8, 2023 to discuss case management and a case schedule to present to the Court for consideration;

WHEREAS, the Parties have further agreed to exchange Rule 26(a)(1)(A) initial disclosures on December 7, 2023;

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the Parties, through their respective counsel, that Defendants shall have until December 14, 2023 to file their answer to

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Plaintiffs' Third Amended Complaint; that the parties shall hold a conference to discuss case management and scheduling the week of December 4 – 8, 2023; and that the Parties shall exchange Rule 26(a)(1)(A) initial disclosures on December 7, 2023.

I, Derek S. Whitefield, hereby attest that each of the Signatories have concurred in the filing of this document, which shall serve in lieu of their signatures on the document.

DATED: November 17, 2023

DYKEMA GOSSETT LLP

By: /s/ Derek S. Whitefield

JOHN M. THOMAS

DEREK S. WHITEFIELD

ABIRAMI GNANADESIGAN

-and-

KIRKLAND & ELLIS LLP

By: /s/ Renee D. Smith

RENEE D. SMITH

Attorneys for General Motors LLC, General Motors Holdings LLC, and General Motors Company

DATED: November 17, 2023

LIEFF CABRASER HEIMANN & BERSTEIN, LLP

By: /s/ David S. Stellings

DAVID S. STELLINGS

BARON & BUDD

By: /s/ Roland Tellis

ROLAND TELLIS

SEEGER WEISS, LLP

By: /s/ Chris Seeger

CHRIS SEEGER

Attorneys for Plaintiffs

PROPOSED ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated November 21, 2023



HONORABLE JON S. TIGAR
United States District Judge

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